

Appl. No. 09/903,266
Atty. Docket No. AA473
Amdt. dated Sept. 1, 2004
Reply to Office Action of 06/01/2004
Customer No. 27752

REMARKS

Claims 1-13, 15 and 17-23 are now pending in the present application. No additional claims fee is believed to be due. Claim 1 is amended; and Claim 14 is canceled.

Claim 1 is amended to further define a "fabric care product." Basis for the amendment is found *inter alia* at page 13, line 28 - page 14, line 2 of the specification.

Claim 14 is canceled is without prejudice.

Rejection Under 35 USC 112, Second Paragraph

The Office Action rejects Claim 14 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without conceding to the Office Action's assertion and merely in the interests of expediting prosecution, Applicants cancel Claim 14 without prejudice. As such, the rejection under Section 112 is obviated.

Rejection Under 35 USC 102(e) Over Koopersmith

The Office Action rejects the claims under 35 USC 102(e) in view of Koopersmith (US 2001/0042002 A1). Notably, the Office Action characterizes the invention as relating to apparatuses and that a toaster oven is one such apparatus. (Office Action, ¶9, page 11)

Applicants amend Claim 1 to clarify that "fabric care product" is not just any apparatus (i.e., a "generic makeup" per the Office Action at ¶11, page 12), but one that is selected from the group consisting of a laundry detergent, fabric conditioning composition, wrinkle removal composition, bleach, bleach activator, dye fixative, stain remover, anti-static composition, dryer added sheet product, and mixture thereof. The rejection is overcome given that Koopersmith fails to identically show a fabric care product as Applicants have defined in Claim 1

CONCLUSION

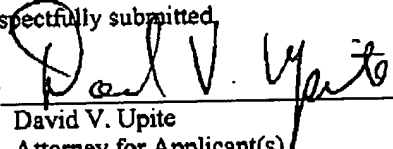
In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 USC 112 and 102. Early and favorable action in the case is respectfully requested.

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Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-13, 15 and 17-23.

Respectfully submitted,

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